CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SEVEN HUNDRED AND SIXTIETH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 March 1997, at 10 a.m.

President: Mr. Grecu (Romania)

GE.97-60586 (E)

The PRESIDENT: The 760th plenary meeting of the Conference on Disarmament is called to order.

I have on my list of speakers for today the representative of Austria. I now give the floor to the representative of Austria, Ambassador Kreid.

Mr. KREID (Austria): Mr. President, since your term of office is heading towards its conclusion, I not only want to congratulate you on the assumption of your presidency, but I should also like to take this opportunity to thank you for the efforts you have made to sound out possible avenues of compromise among ourselves.

A sober reflection of where we stand tells us that such avenues of compromise are not yet in sight. We have heard more about what divides us than about what unites us. I still believe that it is important to continue defining our positions as we move along. For if it is true that we have not found the common ground on which to build together, it is no less true that our positions have not remained unchanged. There is movement and this means there is creative thinking, and as long as there is creative thinking our chances of coming up with a viable solution are intact.

As others before me, I believe it appropriate to concentrate in my statement on the subject matters which have emerged as priority concerns in our discussions, namely anti-personnel landmines and the various aspects of nuclear disarmament. Let me start with the issue of anti-personnel landmines, where Austria's position can be resumed in one single sentence: We want a total ban and we want it fast. We believe that the momentum created in the wake of the Convention on Certain Conventional Weapons Review Conference in Geneva last year should be used for negotiations on a total ban convention in a format that allows for their successful conclusion before the end of the year.

We are greatly encouraged by the fact that the member countries of the European Union are fully committed to this goal and that the United Nations General Assembly, with 150 votes in favour and none against, adopted last fall a resolution in which urgent and vigorous measures for the conclusion of an effective, legally binding international agreement leading to a comprehensive ban on the use, stockpiling, production and transfer of APLMs are called for. We are also greatly encouraged by the response of Governments to the Canadian initiative, which saw the beginning of a process commanding the support of a growing number of States. This fact became apparent in the meeting held in Vienna from 12 to 14 February. There were 111 participating States, a number which speaks for itself. To be sure, this number does not tell us anything about the views these States hold on the question of a total ban, but it can certainly be interpreted as a strong signal that Governments around the world are alert to the problem and willing to take action.

During the general debate 44 speakers took the floor and an overwhelming majority of them supported the adoption of a total ban convention. In the subsequent exchange of views on the main elements of a draft treaty text about 70 countries intervened and contributed a wealth of proposals. These proposals are being given due consideration in the process of revising the

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Austrian tentative draft. It is our intention to send out a revised version of the Austrian draft to all States by the end of March for further comments.

The Vienna meeting did not solve, nor was it meant to solve, the question of where we should negotiate. As we stated earlier, Austria is willing to pursue various tracks provided they hold promise of success. Having carefully registered what has been said and also what has not been said on the subject here in the CD during the last weeks, we have reasons to believe that we are up against some major obstacles in this Conference. Drawing inspiration from Andrew Marvell, I am prompted to say: "Had we but world enough, and time, our hesitations were no crime", but given that the "hidden killers" take a toll of 25,000 victims year by year, and that the fast-track approach commands the support of so many Governments, the CD cannot simply ponder the matter in its customary slow-motion fashion.

We are not willing to submit to a strategy of long-term persuasion complete with trade-offs and linkages and subject to an unpredictable stop-and-go process. We consider the issue as solvable, and it should be solved now, and it should be solved in a straightforward manner. The train is about to leave the station. The CD could still get on it, but it is getting more difficult every moment as impatience is growing.

Of course, there is always a danger that not all of the passengers whom we would have liked to have with us will be on board. But this is a fact we have to live with. Just like the Ottawa Process, the CD could not count on the participation of all the countries directly affected by the evil of anti-personnel landmines either. Thus, we might find ourselves in the unpleasant situation of having, at least for the time being, to forgo universality in order not to end up empty-handed or with ineffective solutions.

We believe, however, in the importance of establishing a universal norm by means of a law-making treaty and we are confident that this treaty will meet with general adherence in due course. This is not the first time in the history of international law that a group of countries decides to go ahead with an agreement which subsequently gains universal validity. Such has been the case with regard to The Hague Conventions as far as humanitarian law is concerned. But there are also examples in the field of disarmament, such as the Partial Test-Ban Treaty, where an initiative taken by a few countries was later endorsed by many others.

One final remark. We do not share the apprehensions of some delegations that the CD must keep away from APLMs because this is a matter of humanitarian law only. True enough, a treaty on APLMs has strong humanitarian components. At the same time, we should not lose sight of the fact that banning a defensive weapon carries with it a strong disarmament dimension as well. To recognize from the very beginning this straddling character of the APLM convention seems to us of some importance for its future implementation.

Let me now turn to my second topic, namely nuclear disarmament, and state at the very outset that we have no reason to be despondent as to the progress achieved in this field. Certainly, we have not yet come to the end

of the tunnel, but at least we can see a distant light of hope. This hope is epitomized by the acronyms NPT, CTBT, START I and START II, and by names like Tlatelolco, Rarotonga, Bangkok or Pelindaba.

It may well be argued that past advances were slow, perhaps even haphazard, lacking in systematic planning and blueprints. But they are nonetheless real, they are nonetheless reassuring, and they tell us, above all, one thing: Let us move on and let us not be too choosy and over-ambitious. Rather, let us take what we can get now. So if we are not able to solve the daunting issue of nuclear disarmament in one great stroke now, let us attend to what is feasible and in doing so add another valuable facet, namely a treaty on fissile material cut-off (FMCT), to this multifaceted edifice.

It is said that an FMCT would not be a genuine disarmament treaty, that it would mainly serve the purpose of nuclear Powers and perpetuate the inequality between the nuclear-weapon haves and have-nots. We believe that this is at least an incomplete, if not an erroneous, view. A cut-off treaty would, in our opinion, create far-reaching effects on nuclear disarmament. It would make existing unilateral commitments of nuclear-weapon States to end their production an obligation under a multilateral treaty and open the door to verification measures. Negotiations would inevitably have to touch upon the question of stockpiles, even if they would remain outside of the treaty, because it is hard to see how a cut-off could be verified without transparency with regard to existing stockpiles. Considering that today nuclear arms competition has shifted from the East-West conflict to other regions of the world, the treaty, by improving transparency and confidence, could attain importance also in a regional context. To borrow the words of an Indian diplomat, an FMCT would "reinforce the trend of moving towards a nuclear-weapon-free culture". It would put a sticker on fissile material for nuclear explosions which would not only read: "Keep off: radioactive radiation", but would also read "This material is not only dangerous, it is superfluous". The excess capacities in plutonium and highly enriched uranium are staggering indeed.

After the end of the East-West confrontation a window of opportunity for nuclear disarmament has opened. As the report of the Canberra Commission states, "it must be exploited quickly or it will be lost. There has been no better opportunity since the beginning of the nuclear age". But the Canberra Commission also approached this subject pragmatically. It proposed to proceed in a step-by-step fashion in order to move in a first phase towards a "low-salience nuclear world".

How could that be reflected in our work? Could we start to negotiate a cut-off and, at the same time, set up some kind of mechanism to examine what nuclear disarmament measures could usefully be negotiated in the CD in addition to, or after the conclusion of, the fissile material cut-off convention, in accordance with the "systematic and progressive" efforts at reduction to which the nuclear-weapon States pledged themselves under the NPT "Principles and objectives"? Those among us who plead for such a course should, however, be fully cognizant of the fact that the very subparagraph 4 (c) of the above-mentioned "Principles and objectives" also

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refers to the need for simultaneous pursuit "by all States of general and complete disarmament under strict and effective international control".

There is a magic word in international negotiations and it is the word balance. To achieve balance, there must be weight on both scales, the nuclear and the conventional. Have we, so far, put sufficient weights in the scales on each side, and if not, should we not try to be a little bit more concerned with living up to our responsibility to make this world a safer and therefore a better place to live in? The newest play by Austria's foremost living writer Peter Handke is entitled "Arming for immortality". Whichever route we follow, without disarming first we cannot hope to come close to this goal.

The PRESIDENT: I thank the representative of Austria for his statement and the kind words addressed to the Chair.

That concludes my list of speakers for today. Does any other delegation wish to take the floor at this stage? I see none.

As you are aware, this is the last plenary under my presidency. Therefore, I should like to end my term of office with a few closing remarks.

It has been an honour and an enriching experience for me to preside over this august body, since disarmament is an issue to which my Government attaches great importance. My presidency thus constituted an opportunity to demonstrate once again Romania's will to join those looking for timely, realistic, far-reaching and long-lasting solutions in this field. During last month I was in a position to encourage actively and, sometimes, promote such solutions.

While leading the proceedings, I largely benefited from the wealth of talent and expertise our Conference encapsulates. I should therefore like to thank all of you for your cooperation and readiness to discuss all the complex issues lying in front of the Conference on Disarmament today, as well as for the interesting and constructive suggestions you have put forward during this period.

In my turn, I reciprocated by exerting all my energy, good will and perseverance throughout my entire tenure as President, which happened to coincide with a particularly difficult and frustrating period in the life of our Conference.

For the first time since the enlargement of the Conference on Disarmament intensive bilateral consultations were held with all the delegations who have made themselves available for this purpose, in an attempt to reach consensus on a programme of work and institutional arrangements for this session. In my judgement, this way to proceed was the most suited in order to give everybody an opportunity to address outstanding issues facing the Conference directly with the President. Each of those issues was approached on its own merits, a tactic meant to avoid unproductive linkages and to get the Conference out of the current stalemate.

(The President)

Soon after the completion of this round of bilateral talks, I informed the membership about my findings and announced my intention to continue seeking avenues for narrowing down the existing gaps. I did so in all earnestness bilaterally, with groups of delegations, and in two successive rounds of multilateral, open-ended Presidential consultations and, as always, with a grain of pondered optimism.

Although we did not fulfil the expectations we all put in our work, I strongly believe that the exercise was useful to air different opinions, to indicate where divergences lie and to reveal possible ways of compromise.

It seems premature to me to draw conclusions at this stage. Instead, I am convinced that further consultations are needed, maybe in other formats and modalities, by advancing fresh ideas, but aiming at the same result, that is, to alleviate obstacles still lying ahead. I intend to continue consulting delegations up to the very end of my term of office.

I do not want to conclude my statement without reiterating my gratitude to the group coordinators and the delegation of China for their constant availability, the support and advice they have given me. A special word of thanks also goes to Mr. Vladimir Petrovsky, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations, to his deputy, Mr. Abdelkader Bensmail, and all the secretariat for the friendly and effective manner in which they have helped us in our endeavours.

Finally, I wish Ambassador Grigori Berdennikov of the Russian Federation every success in the task he will be carrying out as of next week, and I should like to assure him of my full cooperation.

This concludes my closing remarks and I thank you for your attention.

The next plenary meeting of the Conference will be held on Thursday, 20 March at 10 a.m.

The meeting rose at 10.45 a.m.